

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS D. NELSON, OLIVER A. OSSANNA
and DOUGLAS G. ANDERSON

Application 10/033,634

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on January 24, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed December 27, 2001. It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.


Application 10/033,634

Accordingly, it is

ORDERED that the application is returned to the Examiner for such consideration of the Information Disclosure Statement and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

GJH

cc: MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903